



STATE OF MICHIGAN  
BUREAU OF ELECTIONS  
LANSING

May 23, 2022

**REVIEW OF NOMINATING PETITION**

MICHAEL TINNEY

Nonpartisan Candidate for 23rd District Judge – Partial Term, Incumbent Position

**NUMBER OF VALID SIGNATURES REQUIRED:** 200 signatures.

**TOTAL FILING:** 298 signatures.

**RESULT OF FACE REVIEW:** 0 facially valid signatures, 298 invalid signatures.

Total number of signatures filed	298
Heading error (incorrect office designation)	<i>Less:</i> 298
TOTAL	0

Staff's face review of Michael Tinney's petition sheets identified 298 invalid signatures and 0 facially valid signatures, which dropped him below the 200 threshold and rendered him ineligible for the ballot.

**CIRCULATOR ERRORS:** Michael Tinney's 27 petition sheets all included faulty heading, rendering all signatures included on those sheets invalid. Mr. Tinney's petition headings have two variations—some that are typed and some that are handwritten. Examples of both sheets are included at the end of this report. In both variations, the heading describes the office sought by Mr. Tinney as "District Court Judge—Partial Term—Non-incumbent position (Expires January 1, 2025)" (emphasis added). While Tinney is a non-incumbent *candidate*, the office sought is an *incumbent* position, given that the incumbent filed her affidavit of identity on January 7, 2022.

A nominating petition for nonpartisan elections must adhere to the following requirements: "The name, address, and party affiliation of the candidate and the office for which petitions are signed shall be printed in type not larger than 24-point"<sup>1</sup> (emphasis added). Mr. Tinney inaccurately described the office as a non-incumbent position on every petition sheet he submitted. Thus, every signature on each of those sheets is invalid.

The Bureau's guidance on the subject, contained in *Filing Requirements for Non-Incumbent Judicial Candidates*<sup>2</sup>, states the following:

<sup>1</sup> MCL 168.544c(1); [Delaney v. Bd. of State Canvassers, 2016 Mich. App. LEXIS 1170 \(Mich. Ct. App. 2016\).](#)

<sup>2</sup> 2022 Filing Memo for Non Incumbent Judicial Candidates, [https://www.michigan.gov/sos/-/media/Project/Websites/sos/24delrio/Web\\_Filing\\_Memo\\_on\\_JAN\\_25\\_2022\\_746543\\_7.pdf](https://www.michigan.gov/sos/-/media/Project/Websites/sos/24delrio/Web_Filing_Memo_on_JAN_25_2022_746543_7.pdf).

**AFFIXING OFFICE DESIGNATION ON PETITION:** Petitions for a judicial office must bear the appropriate designation listed below to indicate the office sought by the candidate. Note that “incumbent” position means a position held by a judge who is seeking reelection to his or her seat; “non-incumbent” position means a position held by a judge who is not seeking reelection to his or her seat or the position is vacant.

- Regular Term – Incumbent Position
- Regular Term – Non-Incumbent Position
- Partial Term – Incumbent Position\*
- Partial Term – Non-Incumbent Position\*
- New Judgeship

\* Add expiration date of term if more than one partial term will be filled in judicial district. The terms “vacancy,” “partial term” and “unexpired term” are interchangeably used to reference a judicial position which will be filled at an election for less than the full term.

**CHALLENGE:** James Kelly submitted a challenge to Mr. Tinney’s petitions, alleging that each of Mr. Tinney’s petition sheets contained a fatal defect and that two of the signatures on a sheet circulated by Tinney were signed outside of his presence.

In his response, Mr. Tinney provides 103 affidavits from individuals who signed his nominating petition sheets and attested that they were not misled as to Mr. Tinney’s incumbent/non-incumbent status. Additionally, Mr. Tinney provides an affidavit on his own behalf, stating that, while petition sheet was conveyed by another person to the two questioned signers, it was nonetheless signed in his presence.

Because staff had already identified the heading defect and determined that petition contained insufficient signatures, it was unnecessary for the Bureau to process the challenge.

**STAFF RECOMMENDATION:** Determine petition insufficient.

## INSTRUCTIONS ON REVERSE SIDE

NOMINATING PETITION  
(COUNTYWIDE NONPARTISAN)

\* The "Countywide" Nonpartisan Petition form may be used by any nonpartisan candidate. Exceptions: the form may not be used by a candidate who seeks a school board position, intermediate school board position, community college trustee position, library board position or a district library board position.

We, the undersigned, registered and qualified voters of the County of WAYNE and State of Michigan, nominate MICHAEL IAN TINNEY 14662 DEAN ST.  
TAYLOR, MI as a candidate for the office of 23RD DISTRICT COURT JUDGE - PARTIAL TERM - NON-INCUMBENT POSITION (EXPIRES JANUARY 1, 2025)  
 (City or Township) (Title of Office/Term Expiration Date) (Street Address or Rural Route) (District, if any)

to be voted for at the Primary Election to be held on the 2ND day of AUGUST, 2022 001  
 WARNING-A PERSON WHO KNOWINGLY SIGNS MORE PETITIONS FOR THE SAME OFFICE THAN THERE ARE PERSONS TO BE ELECTED TO THE OFFICE, SIGNS A PETITION MORE THAN ONCE, OR SIGNS A NAME OTHER THAN HIS OR HER OWN IS VIOLATING THE PROVISIONS OF THE MICHIGAN ELECTION LAW.

INDICATE CITY OR TOWNSHIP IN WHICH REGISTERED TO VOTE	SIGNATURE	PRINTED NAME	STREET ADDRESS OR RURAL ROUTE	ZIP CODE	DATE OF SIGNING MONTH DAY YEAR
CITY OF TOWNSHIP OF <input checked="" type="checkbox"/> TAYLOR	1.	RICHARD E. PORTER	24408 Hayes	48180	3 27 22
CITY OF TOWNSHIP OF <input checked="" type="checkbox"/> TAYLOR	2.	MARK DANNER	25129 Madden	48180	3 22 22
CITY OF TOWNSHIP OF <input checked="" type="checkbox"/> TAYLOR	3.	TERRY DANNER	25129 Madden	48180	3 22 22
CITY OF TOWNSHIP OF <input checked="" type="checkbox"/> TAYLOR	4.	DAVID FOSSE	7819 Clippert	48180	3 27 22
CITY OF TOWNSHIP OF <input checked="" type="checkbox"/> TAYLOR	5.	ALEXANDER FRASER	24403 Hayes	48180	3 27 22
CITY OF TOWNSHIP OF <input checked="" type="checkbox"/> TAYLOR	6.	STEPHANIE PRATT	24403 Hayes	48180	3 27 22
CITY OF TOWNSHIP OF <input checked="" type="checkbox"/> TAYLOR	7.	GLORIA CLARK III	22331 STODOL	48180	3 27 22
CITY OF TOWNSHIP OF <input checked="" type="checkbox"/> TAYLOR	8.	BRITTANY DRUMMOND	22312 David St	48180	3 27 22
CITY OF TOWNSHIP OF <input checked="" type="checkbox"/> TAYLOR	9.	MIKAEL SHIVERS	22312 David St	48180	3 27 22
CITY OF TOWNSHIP OF <input checked="" type="checkbox"/> TAYLOR	10.	GARY CLARK II	9612 JAVET ST	48180	3 27 22
CITY OF TOWNSHIP OF <input checked="" type="checkbox"/> TAYLOR	11.	RYAN WEST	11650 Telegraph RD	48180	4 4 22
CITY OF TOWNSHIP OF <input checked="" type="checkbox"/> TAYLOR	12.	ANGELA CRABTREE	22310 Haig	48180	4 6 22
CITY OF TOWNSHIP OF <input checked="" type="checkbox"/> TAYLOR	13.	LINDSEY ROSE	22724 Champion	48180	4 8 22
CITY OF TOWNSHIP OF <input checked="" type="checkbox"/> TAYLOR	14.	JUSTIN MACDONALD	11043 Macdonald	48180	4 8 22

The undersigned circulator of the above petition asserts that he or she is 18 years of age or older and a United States citizen; that each signature on the petition was signed in his or her presence; that he or she has neither caused nor permitted a person to sign the petition more than once and has no knowledge of a person signing the petition more than once; and that, to his or her best knowledge and belief, each signature is the genuine signature of the person purporting to sign the petition, the person signing the petition was at the time of signing a registered elector of the City or Township indicated preceding the signature, and the elector was qualified to sign the petition.

☐ If the circulator is not a resident of Michigan, the circulator shall make a cross [X] or check mark [✓] in the box provided, otherwise each signature on this petition sheet is invalid and the signatures will not be counted by a filing official. By making a cross or check mark in the box provided, the undersigned circulator asserts that he or she is not a resident of Michigan and agrees to accept the jurisdiction of this state for the purpose of any legal proceeding or hearing that concerns a petition sheet executed by the circulator and agrees that legal process served on the Secretary of State or a designated agent of the Secretary of State has the same effect as if personally served on the circulator.

WARNING-A CIRCULATOR KNOWINGLY MAKING A FALSE STATEMENT IN THE ABOVE CERTIFICATE, A PERSON NOT A CIRCULATOR WHO SIGNS AS A CIRCULATOR, OR A PERSON WHO SIGNS A NAME OTHER THAN HIS OR HER OWN AS CIRCULATOR IS GUILTY OF A MISDEMEANOR.

CIRCULATOR - DO NOT SIGN OR DATE  
 CERTIFICATE UNTIL AFTER CIRCULATING PETITION.

(Signature of Circulator) 4. 8. 2022 (Date)  
MICHAEL I. TINNEY  
 (Printed Name of Circulator)  
14662 DEAN ST.  
 (Complete Residence Address [Street and Number or Rural Route]) - (Do not enter a post office box)  
TAYLOR MI 48180  
 (City or Township, State, Zip Code)  
 (County of Registration, if Registered to Vote, of a Circulator who is not a Resident of Michigan)

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TAYLOR as a candidate for the office of 23RD DISTRICT COURT JUDGE - PARTIAL TERM - NON-INCUMBENT POSITION (EXPIRES JANUARY 1, 2025)  
 (City or Township) (Title of Office/Term Expiration Date) (Street Address or Rural Route) (District, if any)

to be voted for at the Primary Election to be held on the 2ND day of AUGUST, 2022 021  
 WARNING - A PERSON WHO KNOWINGLY SIGNS MORE PETITIONS FOR THE SAME OFFICE THAN THERE ARE PERSONS TO BE ELECTED TO THE OFFICE, SIGNS A PETITION MORE THAN ONCE, OR SIGNS A NAME OTHER THAN HIS OR HER OWN IS VIOLATING THE PROVISIONS OF THE MICHIGAN ELECTION LAW.

SIGNATURE	PRINTED NAME	STREET ADDRESS OR RURAL ROUTE	NAME OF CITY OR TOWNSHIP	ZIP CODE	DATE OF SIGNING MONTH DAY YEAR
1.	KENYA FUGGS	16248 Lauren St	Taylor	48180	4 12 2022
2.	CHRISTOPHER ZIMMER	16148 Lauren	Taylor	48180	4 12 2022
3.	GARY CAVE	16042 Lauren	Taylor	48180	4 12 2022
4.	KEVIN REICHERTER	16042 Lauren	Taylor	48180	4 12 2022
5.	DRANE GRIFFIN	16032 Lauren St.	Taylor	48180	4 12 2022
6.	LEROY GRIFFIN	16032 Lauren St.	Taylor	48180	4 12 2022
7.	GARY CLARK	16055 Lauren St.	Taylor	48180	4 12 2022
8.	KAYLA FITZPATRICK	16107 Lauren St	Taylor	48180	4 12 2022
9.	BRIAN STARK	16679 Wellington	Taylor	48180	4 14 2022
10.	BILLIE L. HANSON	15691 Wellington	Taylor	48180	4 14 2022

## CERTIFICATE OF CIRCULATOR

The undersigned circulator of the above petition asserts that he or she is 18 years of age or older and a United States citizen; that each signature on the petition was signed in his or her presence; that he or she has neither caused nor permitted a person to sign the petition more than once and has no knowledge of a person signing the petition more than once; and that, to his or her best knowledge and belief, each signature is the genuine signature of the person purporting to sign the petition, the person signing the petition was at the time of signing a registered elector of the City or Township indicated preceding the signature, and the elector was qualified to sign the petition.

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CIRCULATOR - DO NOT SIGN OR DATE  
 CERTIFICATE UNTIL AFTER CIRCULATING PETITION.

(Signature of Circulator) 4. 14. 2022 (Date)  
MICHAEL I. TINNEY  
 (Printed Name of Circulator)  
14662 DEAN ST.  
 (Complete Residence Address [Street and Number or Rural Route]) - (Do not enter a post office box)  
TAYLOR MI 48180  
 (City or Township, State, Zip Code)  
 (County of Registration, if Registered to Vote, of a Circulator who is not a Resident of Michigan)